

REMARKS


Applicant wishes to thank the Examiner for considering the present application. In the Office Action dated January 15, 2003, claims 1-18 are pending in the application. Applicant respectfully requests the Examiner for reconsideration.

Claims 1-12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Examiner Handbook to the U.S. Patent Classification System, Revised February 1999 (Examiner Handbook). Applicant respectfully traverses.

Claims 13-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Examiner Handbook. Applicant respectfully traverses these claims as well.

Claim 1 is directed to a method for classifying documents that includes defining a plurality of classes, identifying source documents of each of the plurality of documents, generating a classification theme score for each of the classes from the source documents for each of the plurality of classes. The method further comprises entering an unclassified system into the document, generating an unclassified document theme score corresponding to the unclassified document, and classifying the unclassified document when the unclassified theme score is substantially equal to the classification theme score. The underlying emphasis of this application is the automation of the classification process. Therefore, the steps of generating a classification theme score are recited. Also, generating an unclassified document theme score is also provided. As described on the bottom of page 7, the source document or source documents and, more particularly, the words therein are used to develop a theme score for the class and subclass. The theme score represents a particular value for the subject matter of the class. Various known methods may be used to generate the theme value. For example, numerous algorithms for natural language searching may be used. The natural language search terms are developed from the source documents. The natural language terms are arithmetically weighted according to

known methods of selecting the importance of the words to obtain the theme score.

claim  The Examiner points to the Examiner Handbook for the teaching of a classification theme score in the form of a class number. Applicant agrees that a class number is assigned to each of the patents. However, the class is not a theme score based upon the content of the documents. That is, there is no teaching of "generating an unclassified document theme score corresponding to said unclassified document." It is not until someone reviews the patent or patent application that it is decided into which class the document should be placed. This is a manual process and thus a theme score based upon the document is not generated. Merely, a classification number is assigned to the document. This is a manual process and is likely to result in more errors than that of the present invention which uses a classification theme score for comparison. Although the classification corresponds to the subject matter, no theme score is generated according to the present invention. Further, no step of classifying the unclassified document into one of the plurality of classes when the unclassified document theme score is substantially equal to the classification theme score. Because no theme scores are developed, the steps of classifying the unclassified document into one of the plurality of classes when the unclassified document theme score is substantially equal to the classification theme score is not taught or suggested in the Examiner Handbook.

Claim 8 is similar to that of claim 1 with further details recited therein.

Claim 13 is a system for classifying documents that has a similar scope to that of claim 1. Therefore, applicant respectfully believes that claim 13 is allowable for the same reasons set forth above with respect to claim 1.

As is stated in the arguments above, the present application is more than automation of the system set forth in the Examiner Handbook. A theme score for the documents is not taught or suggested in the Examiner Handbook.

Applicant therefore respectfully requests the Examiner to reconsider 1-18 in view of the remarks above. Each of the dependent claims are believed to

be allowable for the same reasons set forth with respect to their respective independent claims.

In light of the above amendments and remarks, applicant submits that all objections and rejections are now overcome. Applicant has added no new material to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510.

Respectfully submitted,



Kevin G. Mierzwa
Registration No. 38,049
Attorney for Applicant

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Artz & Artz, P.C.
28333 Telegraph Road, Suite 250
Southfield, Michigan 48034
(248) 223-9500